IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4864 OF 2002

Kalawati Bhau More ...Petitioner

Versus

State of Maharashtra & Ors. ...
Respondents.

Mr. Ashok Tajane for the Petitioner

Mr. S.R. Nargolkar, Assistant Government Pleader,
for the Respondents.

CORAM: V.G. PALSHIKAR, Ag.C.J., &
SMT. NISHITA MHATRE, J.
DATE: JANUARY 27, 2006.

P.C.:-

The petitioner has effective, alternate remedy of challenging the order dated 15th June, 2002 by recourse to the provisions of Section 247 of the Maharashtra Land Revenue Code, 1966 ("the Code", for short). The petitioner is, therefore, relegated to the alternate remedy under the Code. However, in view of the fact that the petitioner was *bona fide* prosecuting her claim in a wrong forum, we direct that if the appeal is filed within one month from today, the Appellate Authority shall consider the appeal on merits and shall not dismiss it on the ground of delay. The petition is accordingly disposed of. Rule is discharged. Interim relief stands vacated.